

MEMORANDUM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUSAN G. PITTS, Individually and on behalf of all others
similarly situated,

Plaintiff,

-against-

NEW YORK CITY TAXI AND LIMOUSINE
COMMISSION, CITY OF NEW YORK, TAXI
WORKERS ALLIANCE, VERIFONE, INC., VERIFONE
TRANSPORTATION SYSTEMS, INC., d/b/a
TAXITRONIC, MOBILE KNOWLEDGE
CORPORATION, d/b/a CREATIVE MOBILE
TECHNOLOGIES, LLC, DIGITAL DISPATCH, LTD.,
and TAXI TECHNOLOGY CORP.,

Defendants.
----- X

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DOCUMENT
ELECTRONICALLY FILED**

DOC #:

DATE FILED: 3/27/08

**STIPULATION OF
DISCONTINUANCE OF
CITY DEFENDANTS'
CROSS-CLAIMS AGAINST
DEFENDANT VERIFONE
TRANSPORTATION
SYSTEMS, INC.**

No. 08 CV 01280 (CM)(AJP)

WHEREAS, defendants New York City Taxi and Limousine Commission and the City of New York ("City Defendants") asserted Cross-Claims against defendant Verifone Transportation Systems, Inc., d/b/a Taxitronic ("Verifone Transportation Systems, Inc.") in their Answer and Cross-Claims, dated March 13, 2008; and

WHEREAS, plaintiff in this action has discontinued its claims against defendant Verifone Transportation Systems, Inc., by way of Stipulation of Dismissal, dated March 13, 2008 and So-Ordered on March 24, 2008;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, as attorneys of record for the respective parties, as follows:

I. City Defendants hereby withdraw their cross-claims against defendant Verifone Transportation Systems, Inc. without prejudice;

2. Defendant Verifone Transportation Systems, Inc. and its attorneys hereby waive any right to apply for, and shall not apply for, any order authorizing the taxation of costs, disbursements, or attorney's fees against City Defendants in this action;

3. Nothing contained herein shall be deemed to be an admission by either City Defendants nor Defendant Verifone Transportation Systems, Inc. that either party has acted unlawfully or in any way violated any of the other party's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York;

4. The parties agree that they will neither proffer nor make reference to this stipulation in any other litigation or proceeding, except in the case of litigation between the parties herein, and further agree that this stipulation is not related to any other litigation or settlement negotiations;

5. Nothing contained herein shall be deemed to constitute a policy or practice of City Defendants;

6. This stipulation contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this stipulation regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein;

7. Counsel for the parties have reviewed and revised this stipulation, and any rule of construction, by which any ambiguities are to be resolved against the drafting party, shall not be applied in the interpretation of this stipulation;

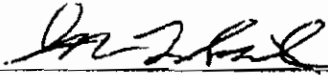
8. Facsimile signatures are deemed to be originals for the purposes of this stipulation;


9. This stipulation may be submitted to the Court to be so ordered, docketed and filed without further notice to any party.

Dated: New York, New York
March 26, 2008

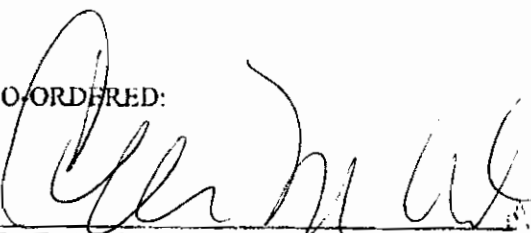
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By: 
Stephen L. Saxl (SS-1028)

By: 
Michelle Goldberg-Cahn (MG-4490)
Assistant Corporation Counsel

SO ORDERED:


UNITED STATE DISTRICT COURT JUDGE

Dated: March 26, 2008